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9 Attorneys for Plaintiffs Gregory R. Raifman and
 10 Susan Raifman, individually and as Trustees for the
 11 Raifman Family Revocable Trust Dated 7/2/03,
 12 and Gekko Holdings, LLC, an Alaska
 13 limited liability company, dba Gekko Breeding and Racing

14 **UNITED STATES DISTRICT COURT**

15 **NORTHERN DISTRICT OF CALIFORNIA**

16 GREGORY R. RAIFMAN, individually and as
 17 Trustee of the RAIFMAN FAMILY
 18 REVOCABLE TRUST DATED 7/2/03, SUSAN
 19 RAIFMAN, individually and as Trustee of the
 20 RAIFMAN FAMILY REVOCABLE TRUST
 21 DATED 7/2/03, and GEKKO HOLDINGS, LLC,
 22 an Alaska limited liability company, dba GEKKO
 23 BREEDING AND RACING,

24 Plaintiffs,

25 v.

26 CLASSICSTAR, LLC, a Utah limited liability
 27 company, CLASSICSTAR FARMS, LLC, a
 28 Kentucky limited liability company, BUFFALO
 RANCH, a business entity form unknown,
 GEOSTAR CORPORATION, a Delaware
 corporation, S. DAVID PLUMMER, SPENCER
 D. PLUMMER III, TONY FERGUSON,
 THOMAS ROBINSON, JOHN PARROT,
 HANDLER, THAYER & DUGGAN, LLC, an
 Illinois Limited Liability Company, THOMAS J.
 HANDLER, KARREN, HENDRIX, STAGG,
 ALLEN & COMPANY, P.C., a Utah professional
 corporation f/k/a KARREN, HENDRIX &
 ASSOCIATES, P.C., a Utah professional
 corporation, TERRY L. GREEN, and DOES 1-
 1000 inclusive,

Defendants.

CASE NO. C 07-02552 MJJ

PLAINTIFFS' STATUS REPORT

Time: October 23, 2007

Date: 2:00 p.m.

Place: United States District Court
 Northern District-San Francisco Division
 450 Golden Gate Avenue
 Courtroom 11, 19th Floor
 San Francisco, California 94102

Honorable Judge Martin J. Jenkins presiding

(e-filing)

Per the Court's request, Plaintiffs GREGORY R. RAIFMAN, individually and as Trustee of the RAIFMAN FAMILY REVOCABLE TRUST DATED 7/2/03, SUSAN RAIFMAN, individually and as Trustee of the RAIFMAN FAMILY REVOCABLE TRUST DATED 7/2/03, and GEKKO HOLDINGS, LLC, an Alaska limited liability company, dba GEKKO BREEDING AND RACING (collectively, "Plaintiffs"), submit this Status Report.

A. Motion for Transfer and Consolidation:

Defendants CLASSICSTAR, LLC and GEOSTAR CORPORATION applied to the Judicial Panel on Multidistrict Litigation ("JPML") for transfer and coordination pursuant to 28 U.S.C. § 1407 ("Motion for Transfer"). The application was briefed and a hearing took place on September 27, 2007. A decision has yet to be issued by the JPML.

B. This Matter is Stayed:

On August 3, 2007, the Honorable Judge Martin J. Jenkins entered an Order staying all proceedings in this case pending a determination of the Motion for Transfer.¹ Because no determination on the Motion for Transfer has been made by the JPML, the stay remains in place.

C. CLASSICSTAR, LLC's Bankruptcy Filing:

On or about September 14, 2007, Defendant CLASSICSTAR, LLC filed a Voluntary Petition for Chapter 11 Bankruptcy in the United States Bankruptcy Court, Eastern District of Kentucky. An automatic stay of all proceedings against CLASSICSTAR, LLC is therefore in place.

Plaintiffs may seek relief from the bankruptcy stay. If Plaintiffs decide to do so, Plaintiffs will be seeking relief from the stay in effect in this case in order to move for relief of the bankruptcy stay.

D. Case Management Conference Should be Vacated and Rescheduled:

Because a determination on the Motion for Transfer has not yet been made by the JPML, and thus the stay remains in effect, Plaintiff requests that the Case Management Conference set for October 23, 2007, be vacated and reset for December 18, 2007, at 2:00 p.m. If no decision has been made by the JPML by December 11, 2007, Plaintiff will file a Status Report with the Court at that time and

¹ The only exception to the stay was a Motion to Set Aside Default filed by Defendants HANDLER, THAYER & DUGGAN, LLC and THOMAS J. HANDLER, J.D., P.C. The Honorable Judge Jenkins signed an Order granting this Motion on August 16, 2007. The Order Granting said Motion was filed on August 20, 2007.

1 request a further continuance of the Case Management Conference. A proposed Order is attached
2 hereto for the Court's consideration.

3
4 IDELL & SEITEL LLP

5 Dated: October 15, 2007

6 By: 

7 Richard J. Idell

8 Ory Sandel

9 Elizabeth J. Rest

10 Attorneys for Plaintiffs Gregory R. Raifman and Susan
11 Raifman, individually and as Trustees for the Raifman
12 Family Revocable Trust Dated 7/2/03, and Gekko
13 Holdings, LLC, an Alaska limited liability company, dba
14 Gekko Breeding and Racing

PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Idell & Seitel LLP 465 California Street, Suite 300, San Francisco, California 94104.

On October 15, 2007, I served the following document(s):

PLAINTIFF'S STATUS REPORT

☒ by regular **UNITED STATES MAIL** by placing a true and correct copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Idell & Seitel LLP for collection and processing of correspondence for mailing. According to that practice, items are deposited with the United States Postal Service at San Francisco, California on that same day with postage thereon fully prepaid. I am aware that, on motion of the party served, service is presumed invalid if the postal cancellation date or the postage meter date is more than one day after the date of deposit for mailing stated in this affidavit.

☒ by **ELECTRONIC MAIL**. As this case is subject to the United States District Court for the Northern District of California ECF program, pursuant to General Rule 45, upon the filing of the above-entitled document(s) an automatically generated e-mail message was generated by the Court's electronic filing system and sent to the address(es) shown below and constitutes service on the receiving party.

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11 *and Thomas J Handler, J.D., P.C.*

12 I certify and declare under penalty of perjury under the laws of the State of California that the
13 foregoing is true and correct and I executed this declaration at San Francisco, California.

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15 Suzanne Slavens
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